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Title 409 - NEBRASKA DEPARTMENT OF ROADS - CONSTRUCTION DIVISION

Chapter 2 - Contracts, Proposal Forms, Ratings, and Qualifications of Contractors Proposing to Bid on State Highway Work - Metric System Measurements

002 PROPOSAL REQUIREMENTS AND CONDITIONS AND AWARDING OF CONTRACTS ON STATE HIGHWAY WORK

002.01 PREQUALIFICATION OF BIDDERS

002.01A All persons, (any individual, co-partnership, association, corporation or joint stock company) proposing to bid on a contract for the construction, reconstruction, improvement, maintenance, or repair of roads, bridges and their appurtenances to be let by the Department of Roads shall submit a statement showing his/her experience, equipment, and financial condition; except that such statement shall not be required for contracts for repair and maintenance where the estimate of the Engineer for such repair and maintenance is less than twenty-five hundred dollars, or of an emergency nature. Such statement shall be under oath and on a form to be provided by the Department and shall be submitted not later than ten days before the letting of the Contract or Contracts. The statement shall develop fully the financial ability, adequacy of plant and equipment, organization, prior experience, and such other pertinent and material facts as may be desirable. The Department may require additional information at any time. The statements of Contractor's experience, equipment, and financial condition will not be retained in the active file of qualified bidders after the financial condition shown is of a date fifteen months prior. Any person whose qualification rating will expire on or before the date of a letting must submit a new statement and request to be qualified at least ten days before the letting at which he/she desires to bid. Any person who desires a change in his/her qualification rating must submit a new statement or a request in writing at least ten days before the letting at which the change would be effective. Upon the compliance with all laws and rules and regulations relating thereto, such person will be qualified for the amount and class of work to which he/she is entitled. All information furnished the Department shall be confidential.

002.01B The financial showing required in such statement shall be certified by a public accountant holding a currently valid permit from the Nebraska Board of Public Accountancy or by any certified public accountant holding a currently valid permit.

002.01C The use of a "Letter of Credit" as an alternate means of showing financial condition will be permitted when the net amount of the "Letter of Credit" does not exceed two hundred fifty thousand dollars. The "Letter of Credit" must be from a licensed or chartered financial institution. The "Letter of Credit" shall be certified by a public accountant holding a currently valid permit from the Nebraska Board of Public Accountancy or by any certified public accountant holding a currently valid permit.

002.02 QUALIFICATION

002.02A Each person will be qualified upon such statement for an amount of work which he/she can perform properly as evidenced by his/her financial statement and supplementing documents, and his/her competency and responsibility as evidenced by the amount, condition, and availability of equipment, experience of personnel, and previous record with this and other awarding authorities.

002.02B Each person will be notified of the "maximum qualification" rating established in his/her case by the Department. The "maximum qualification" rating established may be increased or decreased at any time if, as determined by the Department, the performance record of the Contractor warrants such action.

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002.02C A new statement may be requested at any time if, in the opinion of the Department, significant changes in the responsibility or financial ability of the person qualified have occurred.

002.02D Ratings for any one or combination of the following groups of work will be given:

<u>Group Number</u>	<u>Work Class</u>
1	Grading
2	Aggregates
3	Concrete Pavement
4	Culverts
5	Landscaping
6	Bridges
7	Guard Rail
7b	Fence
8	Specialty
8a	Building Construction
8b	Electrical
8c	Signing
8d	Painting
8e	Demolition
9	Bituminous
10	General (All Classes)

002.02E Any person who desires a change in the class or classes of work for which he/she is qualified to submit proposals must submit a request in writing for such change at least ten days before the letting at which he/she desires to bid with the new classification.

002.03 DRUG-FREE WORKPLACE

002.03A The State of Nebraska requires that all Contractors and Subcontractors on any and all highway construction, maintenance, or improvement contracts must have on file with the Department a written Drug-Free Workplace Policy.

002.03A1 A Drug-Free Workplace Policy letter shall be submitted along with the other documents required to establish a Contractor's qualification to bid on Department contracts.

002.03A2 The Contractor shall certify the company's Drug-Free Workplace Policy by signing the Proposal Signature Page.

ANNOTATION

**Title 409
Chapter 2
Section 002**

**Enabling Legislation
39-102 and 39-1351
Neb. Rev. Stat.**